

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE BIOPURE CORPORATION
SECURITIES LITIGATION

Civ. No. 03-12628 -NG

PLAINTIFFS' MOTION FOR CLASS CERTIFICATION

Lead Plaintiff Ronald Erickson and Plaintiffs Stuart Gottlieb and John G. Esposito, Jr. (collectively, "Plaintiffs") respectfully move, pursuant to Rule 23, F.R. Civ. P., that this Court enter an Order: (i) certifying this action as a class action; (ii) certifying a class consisting of all purchasers of Biopure Corporation, Inc. common stock during the period from April 9, 2003 to December 24, 2003, inclusive, (the "Class Period"); (iii) appointing Lead Plaintiff Ronald Erickson as Representative for the Class; (iv) certifying a subclass consisting of all persons who purchased Biopure common stock contemporaneously with the sales of Biopure's stock by the Defendants Biopure and Rausch during the Class Period (the "Sub-Class"); (v) appointing plaintiffs Stuart Gottlieb and John G. Esposito as representatives of the Sub-Class; and (vi) appointing Shapiro Haber & Urmy and Stull, Stull & Brody as Counsel for the Class and the Sub-Class.¹

This motion is supported by Plaintiffs' Memorandum in Support of Their Motion for Class Certification, filed herewith.

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Excluded from both the Class and the Sub-Class are Defendants; members of the individual defendant's immediate family; any past or present director, officer, subsidiary, or affiliate of Biopure; any entity in which any excluded person or entity has a controlling interest; and their legal representatives, heirs, successors and assigns.

REQUEST FOR ORAL ARGUMENT

Plaintiffs believe that oral argument may assist the Court in deciding the issues raised by this Motion. Therefore, Plaintiffs hereby request that oral argument be scheduled at a time convenient for the Court.

Dated: May 5, 2006

Respectfully submitted,

SHAPIRO HABER & URMY LLP

/s/ Edward F. Haber

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**Co-Lead Counsel For
Lead Plaintiff and The Class**

CERTIFICATION OF COMPLIANCE WITH LOCAL RULE 7.1(A)(2)

I hereby certify that the parties' counsel conferred in a good faith effort to narrow or resolve the issues raised in this motion. The parties were unable to reach agreement.

/s/ Edward F. Haber

Edward F. Haber

Certificate of Service

I hereby certify that this document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing ("NEF") and paper copies will be sent to those indicated as non-registered participants on the 5th day of May, 2006.

/s/ Edward F. Haber

Edward F. Haber